



STATE OF FLORIDA

## **DIVISION OF EMERGENCY MANAGEMENT**

**RICK SCOTT**  
Governor

**BRYAN W. KOON**  
Director

September 18, 2013

Martin County Board of County Commissioners  
The Honorable Sarah Heard, Chair  
2401 SE Monterey Road  
Stuart, FL 34996

Re: Process for Obtaining a Declaration of Major Disaster through FEMA

Dear Chairwoman Heard:

It is my understanding that Martin County may consider seeking a Declaration of Major Disaster from the Federal Emergency Management Agency (FEMA), due to the threat of economic impact to the local community because of water releases from Lake Okeechobee. Typically, disaster declarations fall under the auspices of the Stafford Act (PL 93-288, as amended). Below is information regarding the process for seeking a Major Disaster Declaration.

FEMA's Public Assistance program allows for the reimbursement of eligible costs to governmental agencies, as well as to some private non-profit entities that provide governmental-like services. Under the Public Assistance program, reimbursable expenses are those costs necessary for implementing debris removal and emergency protective operations, as well for completing permanent repairs to physically damaged facilities of eligible applicants. Loss of revenue and increased operating expenses are not eligible for reimbursement (see FEMA 322/June 2007, page 54).

A county or jurisdiction requesting assistance through the Public Assistance program first conducts a series of Initial Damage Assessments (IDAs) within the affected area. Through the IDA process, the requesting jurisdiction surveys the affected area and develops a list of the eligible damage caused by the disaster event. Once the IDA is completed, a Preliminary Damage Assessment (PDA) team comprised of federal, state, and local team members will resurvey the area. The goal of the PDA is to obtain agreement between the three levels of government to the amount of eligible damage received by the impacted community in the disaster event. The amount of eligible damage agreed upon through the PDA process will be reviewed in respect to the total statewide threshold, which is currently just under \$26 million for the State of Florida. In the event that the threshold is met, the State, on behalf of its local governments, may determine the need to seek a Major Disaster Declaration. The counties in the impacted area that meet the countywide threshold will typically be included in the request for declaration for Public Assistance. An important thing to remember is that only eligible damage may be used to satisfy the countywide and statewide threshold requirement. Loss of revenue and increased operating expenses are not eligible forms of damage.

FEMA's Individual Assistance program is designed to allow for money and other forms of aid to flow to individuals and households that have been impacted by a disaster event. The process for obtaining an Individual Assistance declaration begins with an IDA and PDA process similar to that for Public Assistance. For an Individual Assistance declaration, the damage assessments are designed to show overall need within the community, with housing needs being the single most-important factor to determine whether or not an Individual Assistance declaration shall be issued. A list of the factors currently utilized as part of the Individual Assistance declaration request process may be found in 44 CFR § 206.48. As with the Public Assistance program, it is worth noting that economic impact is not a direct factor in FEMA's overall consideration for an Individual Assistance declaration.

Seeking a Public Assistance or Individual Assistance declaration under the Stafford Act is a defined process with specific requirements that must be met on both the county and state level. Another type of disaster related assistance that may be more applicable to the current situation is the Small Business Administration's (SBA's) Disaster Loan Program, authorized under 13 CFR § 123. This program offers low-interest loans for individuals and businesses under two different loan programs: Physical Damage Loans and Economic Injury Loan. While the Department of Economic Opportunity is Florida's lead agency in obtaining an SBA declaration, the Division of Emergency Management stands ready to help coordinate any SBA-specific damage assessments that might be necessary.

I would recommend contacting your county emergency management director to provide additional information on the process for requesting a Major Disaster declaration.

Sincerely,



Bryan W. Koon  
Director

CC: Debra McCaughey, EM Director Martin County